

# **Exhibit I**

1                               IN THE CIRCUIT COURT OF  
2                               THE SEVENTEENTH JUDICIAL CIRCUIT, IN  
3                               AND FOR BROWARD COUNTY, FLORIDA  
4

5       -----x

6       CLARE AUSTIN,                               )   Case No.  
7                               Plaintiff,                               )   CACE-15-008373  
8               v.                               )  
9       C.R. BARD, INC., a foreign                               )  
10      corporation and BARD                               )  
11      PERIPHERAL VASCULAR, INC.,                               )  
12      an Arizona corporation,                               )  
13                               Defendants.                               )

14       -----x

15      Do Not Disclose - Subject to Further Confidentiality Review  
16

17               VIDEOTAPED DEPOSITION OF KRISHNA KANDARPA, M.D.

18                               BETHESDA, MARYLAND

19                               THURSDAY, JULY 19, 2018

20                               12:57 P.M.

21

22

23      Pages: 1 - 237

24      Reported by: Leslie A. Todd

1     knew about this. But, yes, I do recall that,  
2     yeah.

3             Q     All right. The third bullet point the  
4     question is asked: "At what point must the filter  
5     be considered permanent?" Do you see that?

6             A     Yes.

7             Q     Did you ask that question?

8             A     Yeah.

9             Q     What were you told?

10            A     It says: "Six months."

11            Q     Okay. Meaning what to you as the  
12     medical monitor?

13            A     It means to me that it can be removed up  
14     to six months of placement. That's what it means  
15     to me, yeah.

16            Q     And what did that mean to you as the  
17     medical monitor with respect to a filter that  
18     remains implanted after six months?

19            A     That means it -- it could not be taken  
20     out because it's probably fibrosed into the --  
21     into the structure of the venous wall, the IVC  
22     wall.

23            Q     All right. As the medical monitor in  
24     this study, did you form a belief as to whether

1 A Yeah.

2 Q -- 39 patients, correct?

3 A Well, I -- that's right, yeah, because

4 they said that four of them didn't get retrieved.

5 Three of them because of -- I mean, and -- and

6 they got lost to -- ten got lost to follow-up.

7 Q Right.

8 A But I don't know what happened to the

9 other 30.

10 Q Okay. Do we know what happened to any

11 of these 39 patients with respect to the

12 performance of the G2 filter after they left the

13 EVEREST Study?

14 A Long term, I don't know.

15 Q Do we know how many of those people

16 experienced an inability to have the device

17 retrieved like the three patients that were

18 adjudicated in the EVEREST Study?

19 A As opposed to the doctor deciding they

20 needed to have it inside?

21 Q Right.

22 A I -- no, I don't know.

23 Q In fact, this study was not designed to

24 look at patients beyond six months, correct?

1           A     Correct.   Correct.

2           Q     And the 39 patients that were not  
3     adjudicated, do we know how many of those patients  
4     suffered -- who may have had a migration, say, of  
5     less than 2 centimeters went on to have migrations  
6     of 2 centimeters or more?

7           A     It's not that they were not adjudicated.  
8     They were not adjudicated for the retrieval  
9     because they were -- they were not retrieved.

10          Q     Right.

11          A     No, I don't know what happened to them  
12     after that.   No.

13          Q     And this study certainly could have been  
14     designed to follow those patients, true?

15          A     It could have been, yeah.

16          Q     And if Bard wanted to know how  
17     patients -- how this device would perform in  
18     patients beyond six months, they could have easily  
19     have designed the study to have those patients  
20     followed to see how the -- how the device would  
21     perform beyond six months.

22          A     That's right.

23                     MR. NORTH:   Objection to the form.

24                     THE WITNESS:   I suppose they could.